

Message Text

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ACTION EUR-12

INFO OCT-01 OES-05 ISO-00 NRC-07 ERDA-07 ACDA-10 CIAE-00

INR-07 IO-10 L-02 NSAE-00 NSC-05 EB-07 FEAE-00

DODE-00 PM-03 H-02 PA-02 PRS-01 SP-02 SS-15 USIA-15

TRSE-00 COME-00 EURE-00 ERDE-00 /113 W

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P 241458Z APR 75

FM AMEMBASSY PARIS

TO USMISSION EC BRUSSELS PRIORITY

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY BONN

AMEMBASSY ROME

AMEMBASSY MADRID

USMISSION IAEA VIENNA

SECSTATE WASHDC 8779

UNCLAS SECTION 01 OF 02 PARIS 10430

E.O. 11652: N/A

TAGS: TECH

SUBJECT: NRC COMMISSIONER MASON'S REMARKS TO EUROPEAN
NUCLEAR CONFERENCE ON LICENSING ACTIONS

REF: MALLOY/HALPERIN TELCON OF APRIL 23, 1975

1. PER REQUEST, AMBASSADOR'S OFFICE EC BRUSSELS (REF),
SCIATT HAS SECURED THE TEXT OF COMMISSIONER MASON'S
REMARKS OF THE EUROPEAN NUCLEAR CONFERENCE ON THE
RECENT NRC DECISIONS ON LICENSING IMPORTS AND EX-
PORTS OF NUCLEAR MATERIAL AND EQUIPMENT. MASON
COMMENTED ON THE FAUNSWORTHE ARTICLE IN THE INTERNA-
TIONAL HERALD TRIBUNE OF APRIL 22 THAT HE WAS NOT
QUITE SO HARD ON THE EUROPEANS AS THE ARTICLE INDI-
CATED AND THAT HE HAD NOT SAID THE ISSUE WAS BEING
EXAGGERATED FOR POLITICAL REASONS TO SUPPORT THE
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CONSTRUCTION OF INCREASED EUROPEAN ENRICHMENT CAPA-

CITY. HE ADDED TOO THAT HE HAD NOT TALKED TO SIMMONET BY TELEPHONE, AS THE ARTICLE STATED.

2. BEGIN TEXT: MR. CHAIRMAN, I WOULD LIKE TO MAKE A BRIEF STATEMENT CONCERNING U.S. SUPPLY OF NUCLEAR MATERIALS TO EUROPE.

BEGINNING ABOUT THREE WEEKS AGO, THERE HAVE BEEN BEEN PRESS REPORTS IN THE U.S.A. WHICH HAVE ERRONEOUSLY REPORTED ON ACTIONS TAKEN BY THE U.S. NUCLEAR REGULATORY COMMISSION TO ASSURE COMPLIANCE WITH THE NEW U.S. ENERGY REORGANISATION ACT OF 1974 RELATING TO LICENSING OF EXPORTS AND IMPORTS OF NUCLEAR MATERIALS AND EQUIPMENT. UNFORTUNATELY, THESE INCORRECT REPORTS HAVE BEEN PICKED UP IN EUROPE AND HAVE CAUSED CONCERNS HERE, ESPECIALLY REGARDING THE SUPPLY OF NUCLEAR FUEL MATERIALS TO EUROPE FROM THE U.S. SINCE THESE SERIOUS CONCERNS HERE ARE NOT BASED ON EVENTS WHICH HAVE ACTUALLY TAKEN PLACE, I WOULD LIKE TO EXPLAIN WHAT HAS TRULY HAPPENED AND WHAT THE U.S. POSITION ACTUALLY IS:

IN OCTOBER, 1974, THE U.S. CONGRESS PASSED THE ENERGY REORGANIZATION ACT OF 1974 WHICH ESTABLISHED THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION (ERDA) AND THE NUCLEAR REGULATORY COMMISSION (NRC) AND ABOLISHED THE ATOMIC ENERGY COMMISSION (AEC). ONE ARTICLE OF THIS NEW U.S. LAW REQUIRED THAT THE RESPONSIBILITIES FOR MAKING AGREEMENTS WITH FOREIGN GOVTS CONCERNING NUCLEAR MATTERS AND FOR LICENSING OF EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND MATERIALS, WHICH HAD BEEN THE RESPONSIBILITY OF THE AEC, WERE TO BE SPLIT BETWEEN THE TWO NEW AGENCIES, THE ERDA AND THE NRC, WITH THE NRC HAVING LEGAL RESPONSIBILITY FOR LICENSING EXPORTS AND IMPORTS. THE TWO NEW AGENCIES CAME INTO EXISTENCE ONLY ON JAN 19 OF THIS YEAR. ONE OF THE VERY FIRST ACTIONS TAKEN BY THE NEW FIVE-MAN NUCLEAR REGULATORY COMMISSION OF WHICH I AM A MEMBER, WAS TO DIRECT OUR STAFF TO REVIEW ALL THE EXISTING REGULATIONS

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AND PROCEDURES WE WERE INHERITING FROM THE AEC AND TO PREPARE RECOMMENDATIONS CONCERNING CHANGES REQUIRED BY THE ENERGY REORGANIZATION ACT OF 1974 AND THE DIVISION OF RESPONSIBILITIES BETWEEN THE ERDA AND THE NRC. THE NRC STAFF WAS DIRECTED TO DEVELOP PROCEDURES RECOGNIZING THE RESPECTIVE RESPONSIBILITIES OF THE ERDA, THE NRC, AND THE U.S. DEPT OF STATE AND OF COMMERCE, WHICH ALSO

HAVE RESPONSIBILITIES IN THE AREA OF EXPORTS AND IMPORTS SINCE THEY RELATE TO FOREIGN RELATIONS AND COMMERCE.

PRIOR TO JANUARY, THE AEC STAFF HAD RECEIVED AND ACTED UPON EXPORT AND IMPORT LICENSES USING IMPROVED AEC PROCEDURES AND REGULATIONS SO THAT CONSIDERATION OF EACH APPLICATION BY THE AEC COMMISSIONERS

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DODE-00 PM-03 H-02 PA-02 PRS-01 SP-02 SS-15 USIA-15

TRSE-00 COME-00 EURE-00 ERDE-00 /113 W

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P 241458Z APR 75

FM AMEMBASSY PARIS

TO USMISSION EC BRUSSELS PRIORITY

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WAS NOT INVOLVED.

IN ORDER THAT CONSIDERATION OF REQUESTS FOR PERMISSION TO EXPORT AND IMPORT NUCLEAR MATERIALS AND EQUIPMENT COULD PROCEED WHILE THE NEW NRC INTERNAL AD-

MINISTRATIVE PROCEDURES AS WELL AS PROCEDURES FOR RELATIONS WITH OTHER U.S. GOVT AGENCIES ARE BEING DEVELOPED BY THE STAFF FOR APPROVAL BY THE COMMISSION, THE COMMISSION ANNOUNCED THAT EACH APPLICATION INVOLVING THE EXPORT OR IMPORT OF SIGNIFICANT QUANTITIES OF NUCLEAR MATERIALS WOULD BE CONSIDERED BY THE FIVE-MAN COMMISSION ITSELF.

THIS ACTION, TAKEN TO AVOID ANY SUSPENSION OF LICENSING ACTIONS, WAS ERRONEOUSLY REPORTED IN UNCLASSIFIED

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THE PRESS AS A SUSPENSION OR EMBARGO. THIS WAS UNFORTUNATE AND HAS BEEN MISLEADING NOT ONLY IN THE U.S. BUT ALSO HERE IN EUROPE. THERE WAS NO U.S. INTENTION TO AVOID OR TO CIRCUMVENT COMMITMENTS MADE BY THE U.S. WITH RESPECT TO THE SUPPLY OF NUCLEAR FUEL ABROAD.

AS A MATTER OF FACT, THE NUCLEAR REGULATORY COMMISSION LAST FRIDAY ANNOUNCED THE ISSUANCE OF TWO LICENSES COVERING THE EXPORT OF URANIUM FROM THE U.S. TO THE U.K. FOR EVENTUAL USE AS REACTOR FUEL IN THE FEDERAL REPUBLIC OF GERMANY.

IN SHORT, AND CONTRARY TO OTHER REPORTS, THERE IS AND HAS BEEN NO U.S. EMBARGO OR SUSPENSION OF EXPORTS OR IMPORTS OF NUCLEAR MATERIALS OR EQUIPMENT. THERE IS A TEMPORARY PROCEDURE FOR REVIEWING APPLICATIONS, AND THE DEVELOPMENT OF PROCEDURES TO BE FOLLOWED IN THE FUTURE BY THE NRC STAFF ARE BEING DEVELOPED. WHEN THESE PROCEDURES HAVE BEEN DEVELOPED, REVIEWED AND APPROVED BY THE VARIOUS U.S. AGENCIES INVOLVED, THEY WILL BE PUBLICALLY ANNOUNCED.

I HOPE THAT THESE SOMEWHAT DETAILED REMARKS MAY HAVE BEEN HELPFUL IN CLEARING UP ANY REMAINING MISUNDERSTANDING. END OF TEXT.

RUSH

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NUCLEAR ENERGY, EQUIPMENT, IMPORT LICENSES, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 24 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975PARIS10430
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750144-0356
From: PARIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750420/aaaaaswf.tel
Line Count: 211
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 MALLOY/HALPERIN TELCON OF APRIL 2, 75 1975
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 08 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 JUL 2003 by SilvaL0>; APPROVED <03 FEB 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: NRC COMMISSIONER MASON'S REMARKS TO EUROPEAN NUCLEAR CONFERENCE ON LICENSING ACTIONS
TAGS: TECH
To: EC BRUSSELS
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006